

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 22397

PERMIT 15184

LICENSE 10378

ORDER ALLOWING CORRECTION OF DESCRIPTION OF POINT OF DIVERSION

WHEREAS:

1. License 10378 was issued to Presbytery of San Joaquin and was recorded with the County Recorder of Madera County on August 23, 1974 at page 565, Volume 1205, of the official records, and the correction of description of point of diversion under said license for which petition was submitted on December 15, 1976, does not involve any physical change in works already constructed or in the original intent of the applicant concerning location of proposed works, and the correction will not operate to the injury of any other legal user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

Permission is hereby granted to correct the description of point of diversion under said License 10378 to read as follows:

- 1) SOUTH 100 FEET AND WEST 1200 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN NE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 2) SOUTH 250 FEET AND WEST 1200 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 3) SOUTH 500 FEET AND WEST 1250 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 4) SOUTH 300 FEET AND WEST 1600 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 5) SOUTH 275 FEET AND WEST 1700 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 6) SOUTH 250 FEET AND WEST 1850 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 7) SOUTH 225 FEET AND WEST 2200 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 8) SOUTH 200 FEET AND WEST 2400 FEET FROM NE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 7,
- 9) SOUTH 400 FEET AND EAST 100 FEET FROM E $\frac{1}{4}$  CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN THE NW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SECTION 8, T6S, R22E, MDB&M,
- 10) SOUTH 600 FEET AND WEST 1,000 FEET FROM SE CORNER OF SECTION 7, T6S, R22E, MDB&M, BEING WITHIN NE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 18, T6S, R22E, MDB&M.

Dated: AUGUST 31 1978

*R. L. Rosenberger*  
R. L. Rosenberger, Chief  
Division of Water Rights *by L.C.L.*





STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 22397

PERMIT 15184

LICENSE 10378

**THIS IS TO CERTIFY, That**

PRESBYTERY OF SAN JOAQUIN  
C/O THEODORE D. LYONS, CALVIN CREST CONFERENCE CENTER,  
STAR ROUTE, OAKHURST, CALIFORNIA 93644

HAS made proof as of SEPTEMBER 21, 1970 (the date of inspection)  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
(1) AND (3) 2 UNNAMED STREAMS AND (2) NELDER CREEK IN MADERA COUNTY

tributary to (1) AND (3) NELDER CREEK THENCE LEWIS FORK FRESNO RIVER THENCE FRESNO  
RIVER AND (2) LEWIS FORK FRESNO RIVER THENCE FRESNO RIVER

for the purpose of IRRIGATION, RECREATIONAL AND FIRE PROTECTION USES  
under Permit 15184 of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from FEBRUARY 18, 1966 and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed TEN (10) ACRE-Feet PER ANNUM, TO BE COLLECTED FROM  
NOVEMBER 1 OF EACH YEAR TO MAY 1 OF THE SUCCEEDING YEAR. THE MAXIMUM WITHDRAWAL IN  
ANY ONE YEAR SHALL NOT EXCEED 10 ACRE-Feet.

THE MAXIMUM RATE OF DIVERSION TO OFFSTREAM STORAGE SHALL NOT EXCEED 1.25 CUBIC  
FEET PER SECOND.

THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

- (1) NORTH 1,825 FEET AND WEST 1,125 FEET FROM E1/4 CORNER OF SECTION 7, T6S, R22E,  
MDB&M, BEING WITHIN NE1/4 OF NE1/4 OF SAID SECTION 7,
- (2) SOUTH 400 FEET AND EAST 100 FEET FROM E1/4 CORNER OF SECTION 7, T6S, R22E,  
MDB&M, BEING WITHIN NW1/4 OF SW1/4 OF SECTION 8, T6S, R22E, MDB&M AND
- (3) SOUTH 600 FEET AND WEST 1,000 FEET FROM SE CORNER OF SECTION 7, T6S, R22E,  
MDB&M, BEING WITHIN NE1/4 OF NE1/4 OF SECTION 18, T6S, R22E, MDB&M.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

RECREATIONAL AND FIRE PROTECTION USES AT RESERVOIR AND IRRIGATION OF 3 ACRES  
WITHIN NE1/4 OF NE1/4 OF SECTION 18, T6S, R22E, MDB&M.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF  
THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER  
PURPOSE.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: AUG 15 1974

STATE WATER RESOURCES CONTROL BOARD

R. L. Rosenberger  
Chief, Division of Water Rights

2